

REMARKS

Claims 1-7 are pending in this application. In the Office Action, Claim 1 was rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,510,328 (Myllymaki) in view of Publication No. US2001/0021657 (Morita) and U.S. Patent No. 5,731,964 (Kitakubo et al.); Claims 2 and 3 were rejected under 35 U.S.C. §103(a) as being unpatentable over Myllymaki, Morita and Kitakubo et al., in view of U.S. Patent No. 6,308,074 (Chandra et al.); Claim 4 rejected under 35 U.S.C. §103(a) as being unpatentable over Myllymaki, Morita and Kitakubo et al., in view of U.S. Patent No. 6,455,188 (McKay et al.); and Claim 7 was rejected under 35 U.S.C. §103(a) as being unpatentable over Myllymaki in view of Kitakubo et al. Claims 5 and 6 were objected to as being dependent upon a rejected base claim.

The Examiner's finding of allowable subject matter in Claims 5 and 6 is gratefully acknowledged.

Claims 5 and 7 have been amended. Claim 6 has also been amended to correct a typographical error. No new subject matter has been presented.

Claims 1, 5 and 7 are the pending independent claims.

Claim 5 was originally presented as a dependent claim, and has been amended into independent form by adding certain subject matter from Claims 1 and 4. At least in view of the Examiner's finding of allowable subject matter in Claim 5, it is believed that Claim 5 is in condition for allowance.

Claim 7 was rejected as allegedly being unpatentable over the combination of

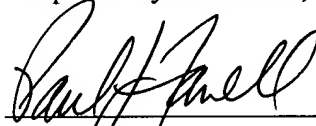
Myllymaki and Kitakubo et al. In the Office Action, the Examiner admitted that “Myllymaki fails to teach a separation plate located between said battery pack and said lower housing for reducing a specific absorption rate” (Office Action, page 4). Kitakubo et al. was cited as allegedly curing this defect of Myllymaki. Claim 7, as amended, specifically recites first and second separation plates, with the second separation plate *located between said battery pack and said upper housing to further reduce the SAR generated from said PCB*. The cited references fail to disclose or suggest the each of the recitations of amended Claim 7.

Claim 1 was rejected as allegedly being unpatentable over the combination of Myllymaki, Morita and Kitakubo et al. The Examiner cited Morita as allegedly teaching “having a slot opened from an end (figure 2, 202)” (Office Action, bottom of page 2). Morita actually discloses “an opening 202 on the side 201 of the cellular phone 200” (paragraph 0028). In contrast, the invention of pending Claim 1 includes a middle housing having a *slot opened from an end*. By providing, in the invention of pending Claim 1, a *slot opened from an end* a battery pack can be longitudinally inserted between upper and lower housings by sliding into the slot, and is *attachable to and detachable from the middle housing in a lengthwise direction*. Further, a separation plate is provided and the slot is constructed in the middle housing to fully separate the vertically spaced upper and lower housings, which thereby minimizes the generation of electromagnetic waves. Accordingly, it is respectfully submitted that combination of Myllymaki, Morita and Kitakubo et al. fails to disclose or suggest the recitations of Claim 1.

Independent Claims 1, 5 and 7 are believed to be in condition for allowance. Without conceding the patentability *per se* of the dependent claims, Claims 2, 3, 4 and 6 are believed to be in condition for allowance for at least the above reasons.

Accordingly, it is respectfully submitted that all of the pending claims, i.e. Claims 1-7, are in condition for allowance. If the Examiner has any questions regarding this communication, the Examiner is requested to contact the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Farrell", is written over a horizontal line.

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